

91st Illinois General Assembly

Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

PRESIDING OFFICER: (SENATOR WEAVER)

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? And will our guests in the gallery please rise? Our prayer today will be given by Reverend Daryl Fansler, United Methodist Church, Petersburg, Illinois. Reverend Fansler.

THE REVEREND DARYL FANSLER:

(Prayer by the Reverend Daryl Fansler)

PRESIDING OFFICER: (SENATOR WEAVER)

Pledge of Allegiance, by Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Friday, April 7th, and -- and Monday, April 10th, 2000.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Myers moves the approval of -- excuse me. Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Myers moves the approval of the Journals just read. There being no objection, it is so ordered. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journal of Tuesday, April 11th, in the year 2000, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR WEAVER)

1

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Senator Myers moves to postpone the reading and approval of the Journal, pending arrival of the printed transcript. There being no objection, it is so ordered. Resolutions.

SECRETARY HARRY:

Senate Resolution 347, offered by Senator Dillard and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 348, offered by Senator Radogno.

And Senate Joint Resolution 72, offered by Senator Maitland.

They're both substantive, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Committee Reports.

SECRETARY HARRY:

Senator Cronin, Chair of the Committee on Education, reports
Senate Joint Resolution 66 Be Adopted, as Amended.

Senator Mahar, Chair of the Committee on Environment and
Energy, reports Senate Resolution 331 Be Adopted.

And Senator Klemm, Chair of the Committee on Executive,
reports Senate Resolution 337 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

WAND-TV requests permission to videotape. Is there leave?
Leave is granted. Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that
the House of Representatives has concurred with the Senate in the
passage of a bill of the following title, to wit:

Senate Bill 1513, together with House Amendment No. 1.

We have a like Message on Senate Bill 1881, with House

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Amendments 1 and 2.

Both passed the House, as amended, April 11th, 2000.

PRESIDING OFFICER: (SENATOR WEAVER)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1958, offered by Senator Viverito.

(Secretary reads title of bill)

And Senate Bill 1959, by Senator Watson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WEAVER)

What purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on my desk reposes an actual statuary of the Iwo Jima Monument that is in the control of my Zion-Benton High School. They brought it -- they brought it today because the sculptor of the original Iwo Jima Monument has done a much bigger one for the Zion-Benton High School and we are going to dedicate Iwo Jima Day - I believe it is May the 8th - at the Zion-Benton High School. But I thought --

for those of you who knew nothing about Iwo Jima Day, let me -- let me tell you, there was a very big battle fought there. Sixty-eight Americans went down. One of those who lived to tell the tale lives in my town. So I would ask you to stop by and look at it, if you'd like. The constituent that I have is Ray Zukley, who's daughter is Principal Sandy Galgan up at the Zion-Benton High School. And we believe in patriotism and we believe in loyalty to our country, and we are very grateful that the students

3

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

under Bruce Hansen in the Zion-Benton High School have selected the Iwo Jima Monument for their school and are going to dedicate it on May 8th, with the sculptor himself being present.

PRESIDING OFFICER: (SENATOR WEAVER)

Thank you, Senator. We will now proceed to Executive Session for the purpose of advise and consent. Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set for in his Messages of November 4th, 1999, and March 20th -- 28th, 2000. Mr. President, with respect to the November 4th, 1999, Message, I will read the

salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate advise and consent.

PRESIDING OFFICER: (SENATOR WEAVER)

You've heard the motion. All in favor, say Aye. Opposed, Nay. The motion carries and we are in Executive Session. Mr. Secretary, Committee Report.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of November 4th, 1999, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President.

The Chicago Transit Authority for a term ending September 1st, 2002, Bill Dugan of Mt. Prospect.

To be Associate Director {sic} (Secretary) to -- to the Department of Human Services for a term ending January 15, 2001, Deloris Newman of Naperville.

To be Executive Director of the Illinois Criminal Justice Information Authority until a successor is appointed, Candice Kane of Oak Park.

To be a member of the Illinois State Toll Highway Authority for a term ending May 1st, 2001, Carl Kramp of Downers Grove.

To be a member of the Illinois State Toll Highway Authority for a term ending May 1st, 2001 {sic} (2003), Norman Gold of Chicago, Gordon Volkman of Aurora.

Mr. President, having read the salaried appointments from the Governor's Message of November 4th, 1999, I now seek to consider the appointments of November 4th, 1999, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR WEAVER)

Any discussion? Any discussion? The question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Those opposed -- opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of the Senators elected concur by record vote. The Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Mr. President, with respect to the November 4th, 1999, Message, I will read the non-salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Board of Higher Education for a term ending July 1st, 2000, Thomas Lamont of Springfield.

To be a member of the Board of Higher Education for a term

ending January 31st, 2001, James Kaplan of Lincolnshire.

To be a member of the Capital Development Board for a term ending January 21st, 2002, Louis Jones of Flossmoor.

5

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

To be members of the East St. Louis Financial Advisory Authority for terms ending August 30th, 2001, Katie Wright of East St. Louis, James Miles of Chicago.

To be members of the East St. Louis Financial Advisory Authority for terms ending August 30th, 2002, Garry Karch of Chicago, Otis Cowan of Edwardsville.

To be a member of the Guardian {sic} (Guardianship) and Advocacy Commission for a term ending June 30th, 2000, Mary Flowers of -- of Chicago.

To be a member of the Guardianship and Advocacy Commission for a term ending June 30th, 2001, Aaron Schmidt of Winnetka.

To be a member of the Health Facility Planning Board for a term ending June 30th, 2001, Fred Benjamin, Glencoe.

To be a member of the Health Facilities Planning Board for a term ending June 30th, 2002, Robert Clark, Springfield.

To be a member of the Illinois and Missouri Bi-State Development Agency for a term ending January 20th, 2003, Robert

McGlynn of Belleville.

To be members of the Illinois Development Finance Authority for terms ending January 15, 2001, Howard Feldman of Springfield, Ruth Vrdolyak of Chicago.

To be members of the Illinois Development Finance Authority for terms ending January 20th, 2003, George Beck of Mt. Vernon, John Koliopoulos of Palos Park.

To be members of the Illinois Farm Development Authority Board for a term ending January 17, 2000, William Richardson of Ewing.

To be a member of the Illinois Farm Development Authority Board for a term ending January 21st, 2002, Gary Niemeyer of Glenarm.

To be members of the Illinois Farm Development Authority Board for terms ending January 20th, 2003, Robert Nickel of Concord, Bernard Donovan, Jr. of Decatur.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

To be a member of the Illinois Gaming Board for a term ending July 1st, 2000, Joseph Lamendella of Chicago.

To be a member of the Illinois Gaming Board for a term ending July 1st, 2001, Staci Michelle Yandle of Belleville.

To be a member of the Illinois Gaming Board for a term ending

July 1st, 2002, Greg Jones of Hinsdale.

To be members of the Illinois Housing Development Authority for terms ending January 13th, 2001, John Viera of Des Plaines, Gerald Sinclair of Salem.

To be members of the Illinois Housing Development Authority for terms ending January 13, 2003, Joan Etten of Park Ridge, Douglas Altenberger of Barrington.

To be a member of the Illinois Human Resource Investment Council/Workforce Investment Board for terms ending July 1st, 2000, Ralph Korte of Highland, Michael Pittman of Springfield.

To be members of the Illinois Human Resource Investment Council/Workforce Investment Board for terms ending July 1st, 2001, the following individuals: Thomas Balanoff of Highland Park; Milton Carus of Peru; Senator James Clayborne, Jr. of Belleville; Kristine Cohn of Rockford; Kristine Coryell of Chicago; Daniel Cosgrove of Springfield; Michael Donahue, Burr Ridge; Paul Doyle, Oak Park; Edward Duffy, Arlington Heights; Jacqueline Edens, Chicago; Donald -- Donna Fike of South Elgin; Nancy Firfer of Glenview; Sharon Green of Barrington; Lowell Grieves of Peoria; Shirley Grobart, Wheeling; Christine Grumm, Chicago; Robert Haisman, Oak Park; Representative Julie Hamos, Chicago; Zelema Harris, Champaign; Ginnie Hartmann of Mounds; Elzie Higginbottom, Chicago; Edward Hightower of Belleville; Bruce Holland, Belleville; Anne Irving, Chicago; Dennis Keller, Hinsdale; Susan Kelsey, Chicago; Hazel King, Chicago; Richard Knudsen, Glen Ellyn; Anne Ladky, Chicago; Robert Mariano, Lake Forest; Michael McClain, Quincy; Representative Rosemary Mulligan, Des Plaines; Barbara

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Oilschlager, Grayslake; Janet Payne, Westville; Anthony Perry, Bourbonnais; Senator William Peterson, Long Grove; Jose Rivera, Naperville; Michael Skarr, Naperville; Mary Frances Squires, Springfield; Daniel Strautz, Mt. Vernon; Pamela Strobel, Winnetka; Thomas Thorton, Chicago.

To be members of the Illinois Student Assistance Commission for a term ending July 1st, 2001, Brian Kelly of Oak -- Orland Park.

To be members of the Illinois Student Assistance Commission for a term ending June 30th, 2003, Pauline Betts of Springfield.

To be members of the Illinois Student Assistance Commission for terms ending June 30th, 2005, Christine {sic} (Christopher) Kurczaba of Park Ridge, William Hocter of Glencoe.

To be a member of the Joliet Arsenal Development Authority Board for a term ending January 19, 2003, Warren Dorris of Joliet.

Member of the Lottery Control Board for a term ending July 1st, 2002, James Hadley of Chicago.

To be a member of the Will County Metropolitan Exposition and Auditorium Authority for a term ending December 1st, 2001, Sandy Martin of Joliet.

To be a member of the Will-Kankakee Regional Development

Authority for a term ending January 15, 2001, Ab Potter of Kankakee.

To be a member of the Will-Kankakee Regional Development Authority for a term ending January 21st, 2002, Walter Charlton of Kankakee.

Mr. President, having read the non-salaried appointments from the Governor's Message of November 4th, 1999, I now seek leave to consider the appointments of November 4th, 1999, on a roll call. And, Mr. President, will you please put that question as required by our rules?

PRESIDING OFFICER: (SENATOR WEAVER)

8

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. A majority of the Senators elected concur by record vote. The Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of March 28th, 2000, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of March 28, 2000, I'll read the salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Illinois Commerce Commission for a term ending January 17, 2005, Mary Frances Squires of Springfield.

To be a member {sic} (Director) of the Illinois Department of Employment Security for a term ending January 15, 2001, Gertrude Jordan of Chicago.

To be a member of the -- to be Secretary of the Illinois Department of Human Services for a term ending January 15, 2001, Linda Renee Baker of Springfield.

To be a Commissioner of the Illinois International Port District Board for a term ending June 1st, 2004, Cary Capparelli of Chicago.

To be members of the Illinois State Mining Board for terms

SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

ending January 15, 2001, Thomas Austin of Springfield, Timothy Mitacek of -- of Harrisburg, Robert Pate of Harrisburg, Perry Whitley of Crossville, Mark -- Mike Whitten of Hillsboro, J. Scott Williams of West Frankfort.

To be Commissioner of the Office of Banks and Real Estate for a term ending January 31st, 2004, William Darr of Park Ridge.

To be First Deputy Commissioner of the Office of Banks and Real Estate for a term ending January 31st, 2004, David Rodriguez of Chicago.

To be Deputy Commissioner of the Office of Banks and Real Estate for a term ending February 1st, 2004, Patrick A. Brady of Chicago.

To be a member of the Pollution Control Board for a term ending July 1st, 2002, Samuel Lawton of Highland Park.

Mr. President, having read the salaried appointments from the Message of March 28, 2000, I now seek leave to consider these appointments of March 28, 2000, on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR WEAVER)

Any discussion? Senator del Valle.

SENATOR DEL VALLE:

Yes. Thank you, Mr. President. Mr. President, I've filed a motion to divide the question, and to consider the appointment of David Rodriguez, First Deputy Commissioner of the Office of Banks and Real Estate, on a separate roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, has a motion been filed?

SECRETARY HARRY:

Yes, Mr. President. Senator del Valle, joined by five other Members, has filed the following motion.

Pursuant to Article X, Section 10-1, Paragraph (c) of the Rules of the Senate, we, the undersigned Members, request a

10

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

separate vote on the nomination of David Rodriguez to be First Deputy Commissioner of the Office of Banks and Real Estate, which was contained in the Governor's Message of March 28th, 2000.

The motion was filed on April 12, 2000.

PRESIDING OFFICER: (SENATOR WEAVER)

Question will be divided. We will take up Mr. Rodriguez first. The question is, does the Senate advise and consent to the nominations of -- of Mr. Rodriguez. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 8, 7 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination of Mr. Rodriguez. We will now proceed to the remainder of that Message.

Is there discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? On that question, the Ayes are 59, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. With respect to the Message of March 28, 2000, I'll read the non-salaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Governors State University Board of Trustees for a term ending January 17, 2005, Jack Beaupre of Bourbonnais.

To be a member of the Illinois State University Board of Trustees for a term ending January 17, 2005, Jaime Flores of Berwyn.

11

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

To be members of the Northeastern Illinois University Board of Trustees for terms ending January 20th, 2003, Juan Mendez of Park

Ridge, Lorraine Murray of Park Ridge, Willie Taylor of Chicago.

To be a member of the Western Illinois University Board of Trustees for a term ending January 17, 2005, Lorraine Epperson of Macomb.

To be a member of the Capital Development Board for a term ending January 20th, 2003, George Fleischli of Springfield.

To be a member of the Capital Development Board for a term ending January 19th, 2004, Joby Berman of Kenilworth.

To be members of the Children and Family Services Advisory Council for terms ending January 20th, 2003, James Gordon of Mt. Vernon, Clara Kirk of Chicago, Neil Matlins of Springfield, Carolyn Smoots of Marion.

To be members of the Children and Family Services Advisory Council for a term ending January 19, 2004, Rhonda Kaplan-Katz of Highland Park.

To be members of the Coal Development Board for terms ending July 1st, 2003, Donald Dame of Springfield, Douglas Downing of Mascoutah, Donald Tolva of Oak Brook, Robert Viets of Peoria.

To be a member of the Labor Advisory Board for terms ending January 15th, 2001, James Compton of Chicago, Terry Fairclough of Springfield, Colleen McShane of Oak Park, Levi Moore of Chicago, William Nolan of Chicago, Thomas Walter of Naperville.

To be members of the Department of Labor Advisory Board for terms ending January 21st, 2002, James Bruner of Jacksonville; David DeYoung, South Holland; Dennis Gannon, Orland Park; David Lorig of Chicago; Hedy Ratner, Chicago; Michael O'Neill of Palos Hills; Edward Smith of Olive Branch.

To be a member of the Department of State Police Merit Board

for a term ending March 20th, 2000, Scott Turow of Wilmette.

To be a member of the Department of State Police Merit Board,

12

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

term ending March 20th, 2006, Scott Turow of Wilmette.

To be a member of the Havana Regional Port District Board for
a term ending July 1st, 2003, Scott Williams of Havana.

To be members of the Health Care Cost Containment Council for
terms ending September 5th, 2002, James Chao of Naperville,
William Tipton of Northfield.

To be a member of the Illinois Community College Board for a
term ending June 30th, 2003, James Zerkle of Springfield.

To be a member of the Illinois Community College Board for a
term ending June 30th, 2005, Lurna Godwin of Alton.

To be members of the Illinois Economic Development Board for
terms ending November 1st, 2000, Hans Becherer of Moline; Diane
Cullinan of Edwards; Thomas Donovan, Palos Park; Donald Fites of
Peoria; Christopher Galvin, Winnetka; Sue Gin of Chicago; Ross
Glickman of Chicago; Merlin Karlock, Bourbonnais; John LaSage,
LaGrange; John Miller, Winnetka; Margarita Perez of Park Ridge;
James Reynolds, Chicago; Christine Roche, Wheaton; Courtney Shea,
Chicago; Thomas Tunney, Chicago; Cynthia Williams, Chicago; Lucy

York of Fairfield.

To be a member of the Illinois Electronic Fund Transfer Advisory Committee for a term ending December 31st, 2003, Veronica Manion of St. Charles.

To be a member of the Illinois Farm Development Authority for a term ending January 21st, 2002, Curtis Faber of Mendota.

To be a member of the Illinois Farm Development Authority for a term ending January 19, 2004, Gary Luth of Allerton.

To be a member of the Illinois Fiduciary Advisory Committee for a term ending January 1st, 2000, John DuBois of Geneseo.

To be a member of the Illinois Fiduciary Advisory Committee for a term ending January 1st, 2001, Robert Mauser of Downers Grove, Clifford Scott-Rudnick of Chicago.

To be a member of the Illinois Fiduciary Advisory Committee

13

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

for a term ending January 1st, 2002, Glen Paine of Champaign.

To be members of the Illinois Fiduciary Advisory Committee for terms ending January 1st, 2003, Gail Nunnery of Clinton; Richard Sommer, Edwardsville.

To be a member of the Illinois Fiduciary Advisory Committee for a term ending January 1st, 2004, John DuBois of Geneseo.

To be a member of the Illinois Gaming Board for a term ending July 1st, 2001, Sterling Mac Ryder of Springfield.

To be a member of the Illinois Human Resources Investment Council for terms ending July 1st, 2001, Tony Barr of Beason; Jim Bush of Palos Heights; Bert Docter, South Holland; John Hudson, Springfield; Garry Karch, Chicago; James Miles, Chicago; Gary Vaughn of Pinckneyville; Susan Vespa, Chicago; Hugh Williams, Chicago.

To be members of the Illinois Racing Board for terms ending July 1st, 2002, William Parrillo of Oak Park {sic} (Oak Brook), Leon Shlofrock of Skokie.

To be a member of the Illinois State Medical Disciplinary Board for a term ending January 1st, 2003, Donald Langley of -- Langsley of Evanston.

Members of the Illinois State Medical Disciplinary Board for terms ending January 11th, 2003, Douglas Webster of Lisle.

To be a member of the Illinois State Medical Disciplinary Board for terms ending January 11th, 2004, Allan Bennett of Carbondale, Sandra Olson of Chicago.

To be members of the Illinois State Museum Board for terms ending January 15th, 2001, Gerald Adelman of Chicago {sic} (Lockport); Anthony Leone, Springfield; Guerry Suggs of Springfield; Caren Trudeau of Springfield.

To be a member of the Illinois Student Assistance Commission for a term ending June 15th -- excuse me, June 30th, 2005, Richard Neumiller of Peoria.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

To be a member of the Kaskaskia Regional Port District Board for a term ending June 30th, 2001, Virgil Becker of Smithton.

To be a member of the Medical Licensing Board for a term ending January 8, 2002, Dennis A. Reter of Canton.

To be a member of the Medical Licensing Board for a term ending January 8, 2004, Jane Jackman of Springfield, Robert Vanecko of Chicago.

To be Public Administrator and Guardian of Effingham County for a term ending December 2nd, 2002, Richard Keller of Effingham.

To be Public Administrator/Public Guardian of Henderson County for a term ending December 3rd, 2001, Lmarr Evans of Oquawka.

To be a Public Administrator and Public Guardian of Wayne County, term ending December 30th -- 3rd, 2001, Vickie Leonard of Fairfield.

To be members of the Quad City Regional Economic Development Board for a term ending January 15th, 2001, Wayne {sic} (Walter) Sitzmore of Moline.

To be members of the Quad City Regional Economic Development Board for terms ending January 21st, 2002, Thomas Getz, Moline; Richard {sic} (Kenneth) Schloemer of Moline; Scott Verschoore of Reynolds.

To be members of the Quad City Regional Economic Development Board, terms ending January 20th, 2003, Mark Appleton of Aledo.

Members of the Quality Care Board for terms ending September 18th, 2002, Rita Ann Burke of Makanda, Kerry Galloway of Springfield.

To be members of the Illinois State Board -- Banking Board for terms ending December 31st, 2001, Jeanne Gernentz of Odell, Lee Plummer of Dow.

To be a member of the State Banking Board of Illinois for a term ending December 31st, 2002, LeRoy Ufkes of Carthage.

Members of the State Banking Board (of Illinois) for terms

15

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

ending December 31st, 2003, John Eck of Wheaton, Gary Edwards of Quincy, Everett Rand of Chicago, Paul Reagan of Glencoe, Asif Yusuf of Oak Brook.

To be members of the Illinois -- Upper Illinois River Valley Development Authority for a term ending January 17, 2000, Lynn Fieldman of Morris.

To be members of the Illinois Upper {sic} River Valley Authority -- Development Authority for terms ending January 15, 2001, Melissa Barnhart of Yorkville, William Meagher of LaSalle, Barbara Griffith of McNabb, Dennis Hackett of Morris, John Shaw of Yorkville.

To be members of the Upper Illinois River Valley Development Authority for terms ending January 21st, 2002, William Cote of Oswego, Philip McCully of Toluca, Steven R. Nelson of Princeton, William Steep of Seneca.

To be members of the Upper Illinois River Valley Development Authority for a term ending January 20th, 2003, Lynn Fieldman of Morris.

To be members of the Wireless Enhanced 9-1-1 Board for unspecified terms: Craig S. Allen of Springfield, Stephanie Cassioppi of Naperville, Norman Forshee of Millstadt, Robert Lombardo of Chicago, Michael Midiri of Springfield, George Moser of Barrington Hills, John Zaruba of Wheaton.

SENATOR PETKA:

Mr. President, having read the non-salaried appointments from the Message of March 28, 2000, I now seek leave to consider these non-salaried appointments of March 28, 2000, on a roll call. Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Is there any discussion? If not, the question -- if not, the question is, does the Senate advise and consent to the nominations just made.

100th Legislative Day

April 12, 2000

Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you, Mr. President. I move that we arise from Executive Session.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. Those in favor, say Aye. Opposed. Motion carries. Senator Bomke, for what purpose do you rise, sir?

SENATOR BOMKE:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR BOMKE:

Sitting behind you, on the Democrat side, we have with us today the eighth-grade class from St. Joseph School, teacher, Esther Woken, and I would ask that you all help me in welcoming them to the Senate Chambers.

PRESIDING OFFICER: (SENATOR WATSON)

Will our guests in the gallery please rise? And we're glad to have you here. Welcome to the Illinois Senate. Senator Mitchell, for what purpose do you rise, sir?

SENATOR MITCHELL:

Point of personal privilege, Mr. Chairman.

PRESIDING OFFICER: (SENATOR WATSON)

State -- state your point.

SENATOR MITCHELL:

I have with me today, and would like fellow Senators to welcome, the civics class from the Pope County High School in

17

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Golconda, Illinois, who are sitting -- this gallery right here.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Well, we're glad to have you here in the Illinois Senate. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Executive - Senate Joint Resolution 71 and Senate Joint Resolution 72; to -- re-referred from the Executive Committee to the Committee on Rules - Senate Joint Resolution 71 and Senate Joint Resolution 72; referred to the Committee on Insurance and Pensions - Senate Amendments 1 and 2 to House Bill 1583 and the Motion to Concur with House Amendments 1 and 2 to Senate Bill 1658; to the Committee on Local Government - Motions to Concur with House Amendments 1, 2 and 3 to Senate Bill 1425,

House Amendment 1 to Senate Bill 1513, and House Amendments 1 and 2 to Senate Bill 1881; to the Committee on Revenue - Motion to Concur with House Amendment 1 to Senate Bill 1304; and Be Approved for Consideration - Senate Joint Resolution 71 and Senate Joint Resolution 72.

PRESIDING OFFICER: (SENATOR WATSON)

It's the intention of the Chair to go to page 15 on the Calendar. Secretary's Desk, Concurrence, Senate Bills. This would be final action. So it'd be my suggestion that all of us retire to our chairs and take conferences off the Floor. This will be final action. That will be my suggestion and hopefully you will concur, 'cause this is concurrence. Senator Geo-Karis, for what purpose do you rise, ma'am?

SENATOR GEO-KARIS:

A point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

18

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, earlier I had announced the position here of the Iwo Jima Memorial

Monument, and in the gallery are the students from Zion-Benton Township High School, together with two of their instructors, Mr. McPherson and Mr. Hansen, and one of the parents, who was -- took the time to drive many of them here. We have eighteen of them. And that was Mr. Stanley. And four of our students there, Brianna Jackson, Janine Littlefield, Trevor Sierra, Daniel Stanley, are Honorary Pages. So we'd like you to welcome them here today.

PRESIDING OFFICER: (SENATOR WATSON)

Senator, we'd like to welcome all your friends to the Illinois Senate. Would they please rise in the gallery and be welcomed? We are on page 15, and we are -- Senate Bill 452. Senator Burzynski. Is Senator Burzynski on the Floor? Out of the record. Moving on to page 16. Top of page 16 is Senate Bill 563. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 563.

Motion filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur with House Amendments 1 and 2 to Senate Bill 563. Senate Bill 563 is a bill for Trinity Medical Center in -- in my district, which was opened as an ambulatory treatment center, postsurgical treatment center and medical office building in 1997. Then whenever the Trinity Medical Center opened the Seventh Street Campus, the East Campus Hospital in Moline was sold and three hundred and thirty-one licensed beds were discontinued. And

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

because of the needs to facilitate the additional beds for longer than twenty -- forty-eight hours, the bill allows the Department to license Trinity Medical Center as a hospital. Yesterday in committee I announced that there was no known opposition. I just did want to make the committee aware -- it passed out of committee on a attendance roll call, but I did want to make the -- I did want to make the committee aware that there is -- is opposition to the bill. We did have a competing hospital that called me this morning and is concerned about it, from competitive situation. But I still ask for an Aye vote. And be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 563. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 563, and the

bill, having received the required constitutional majority, is declared passed. Senator Hawkinson. Out of the record. Senate Bill 747. Senator Silverstein. That's out of the record, Ira. So, Senate Bill 807. Senator Karpriel. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 2 and 9 to Senate Bill 807.

Motion filed by Senator Karpriel.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpriel.

SENATOR KARPIEL:

20

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Thank you, Mr. President. Amendments...

PRESIDING OFFICER: (SENATOR WATSON)

Please give the lady your attention.

SENATOR KARPIEL:

Amendments 1, 2 and 9 on Senate Bill 807. Amendment 1 says that -- states that the agency heads, employees and the -- the administrative law judges shall not communicate, directly or indirectly, with the issue of fact, or have any -- where am I

looking? - ex parte communication. That's what I'm trying to say. Amendment 2 states that whenever the Board closes any meeting, it shall arrange for all discussions, deliberations and meetings to be transcribed verbatim. Amendment 9 does several things. The -- the threshold on expenditures for capital expenditures in this bill, as it left the Senate, was seven million. It is now six million. It says that health care facilities will be required to prepare an annual capital expenditure report of any expenditure of over two hundred thousand to the Board. It -- it says -- it includes new language agreed to by the Hospital Association and the fitness centers and it says -- it includes language that was passed in Senate Bill 1278 to regulate surgical services provided in Illinois by out-of-state providers. And it clarifies that assisted living facilities, as was passed last year, do not have to get a -- a certificate of need.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Yes. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Molaro.

SENATOR MOLARO:

When she was talking about these conversations that are now prohibited, is there any penalty if they do have these

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

conversations, or prohibited conversations?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpriel.

SENATOR KARPIEL:

Oh, conversation. I'm sorry. I thought you said compensation. You're talking about ex parte communication? Yes. It's -- it is now prohibited under the Amendment 1.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Now -- now, what if they engage in this prohibited conduct? What -- and it's reported, what would happen to them?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpriel.

SENATOR KARPIEL:

Communication would have to be placed in public record then, for -- for review by everyone.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

Now, let's assume for a second they don't do that. They don't put it in public record and it's found out. I mean, is it criminal? Is it -- does it forfeit your position? In other words, what would happen if they didn't do that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpel.

SENATOR KARPIEL:

All it says is that the Board's presiding officer will take whatever action necessary to ensure that violation does not prejudice the fairness of the proceedings. There's no criminal penalty in this.

PRESIDING OFFICER: (SENATOR WATSON)

22

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Any further discussion? Is there any further discussion? If not, Senator Karpel, do you wish to close?

SENATOR KARPIEL:

No. I just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

This is final action. And the question is, shall the Senate concur in House Amendments 1, 2 and 9 to Senate Bill 807. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1, 2 and 9 to Senate Bill 807. And the bill, having

received the required constitutional majority, is declared passed.
Senate Bill 1249. Senator del Valle. Madam Secretary, please
read the bill.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their
Amendment No. 2 to Senate Bill 1249.

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. House Amendment No. 2 had
clarifying language in it. It also changed the -- the time frame
for mortgagees to forward the notice of eligibility to the
mortgagor, from fifteen days to thirty days. In addition to that,
it also provides that there shall be no liability for the failure
of the mortgagee to forward the notice to each mortgagor. I ask
for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion. If not,
this is final action, and the question is, shall the Senate concur

in House Amendment No. 2 to Senate Bill 1249. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 2 Senate Bill 1249, and the constitutional majority having been received, is declared passed. Senator Hawkinson. Out of the record. Senator Sullivan, on Senate Bill 1284. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1284.

Motion filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1284 originally amended the Voluntary Payroll Deduction Act to include State contract employees. The House language makes the language for this bill consistent with the State Salary and Annuity Withholding Act and allows State retirees to join in also.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action. And the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1284. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes,

no voting No, no voting Present. The Senate does concur with House Amendment No. 1 Senate Bill 1284, and the constitutional majority having been provided, the bill passes. Senator Bowles,

24

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

on Senate Bill 1296. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1296.

Motion filed by Senator Bowles.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President and Members of the Senate. Senate Bill 1296, which passed out of the Senate 58 to nothing, provides that all property used exclusively for public purposes belonging to a library system established under the Illinois Library System Act or belonging to a public library district established under the Public Library District Act is exempt from taxation. And -- the House amendment, then, makes a correction for Cook County in that it permits the -- Cook County to have its public hearing before it adopts its levy. At -- under the existing law, they

would adopt the levy and then provide for a hearing. So this reverses the process and corrects -- corrects the existing statute. I would ask for a positive vote, unless there's a question on...

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any questions at all of the sponsor? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1296. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1296, and the required constitutional majority -- is declared passed. Senator O'Malley, you have Senate Bill 1307. Madam Secretary, please read the bill.

25

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1307.

Motion filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley, to explain his motion.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I am moving to concur with House Amendment No. 1. In effect, what it does is it -- it has the provisions of the legislation apply to the 2001 assessment year, instead of the 2000 assessment year. This has to do with the senior freeze and -- and not including veteran's benefits in calculating the income limitations. I'd be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Is there any discussion? And if not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1370 {sic} (1307). Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1307, and the bill, having received the required constitutional majority, is declared passed. Senator DeLeo, on Senate Bill 1332. We are on page 17, right at the top of page 17. Senate Bill 1332, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1332.

Motion filed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Senator DeLeo.

SENATOR DeLEO:

Thank you -- thank you, Mr. President, Members of the Senate. Senate Bill 1332, I move to concur with House Amendments 1 and 2. We debated these yesterday in the Executive Committee. Under current law, if a violent crime is charged only as a violation of Cannabis Control Act or the Controlled Substance Act, the victim of the crime is not allowed to present a victim impact statement at the sentencing after a conviction and is not eligible to receive notification of the defendant's escape or release from prison. This would allow the person to do that. Also, Senate Amendment No. 2 defines what a "qualified individual" means, and it means a person who's lived and worked in the area where the crime took -- the -- where the offense took place. I ask for a favorable roll call on Senate Bill 1332 to concur in both amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Petka.

SENATOR PETKA:

Thank you very much. This is an inquiry of the Chair. Is it -- is it possible to divide the question of -- on Senate {sic}

Amendments No. 1 and 2?

PRESIDING OFFICER: (SENATOR WATSON)

Yes. Thank -- thank you for that inquiry. On Article VIII, Joint Action, 8-1, Concurring in or Receding from Amendments: "Any two Members may demand a separate roll call on any such amendment." Are you joined by someone else? And you are, and I have to identify Senator Hawkinson and Senator Tom Walsh will -- have joined you. Is there any further discussion? Senator Petka.

SENATOR PETKA:

I would like to -- first of all, I have no problem whatsoever with Senate -- or, House Amendment No. 2, which I think is very

27

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

much necessary to solve a problem that is, I believe, peculiar to Cook County. However, during questioning of the -- the very fine witness who appeared in behalf of this bill -- I believe the gentleman's name was O'Brien. I thought he did a very nice job, but one of the things that he -- he pointed out, in terms of this sentencing hearing that would now include a qualified individual, would be that this is to be used as a so-called "pressure point" on judges of -- in Cook County in connection with extending sentences. While that may be necessary in the County of Cook,

unfortunately, this legislation deals with the entire State of Illinois. Sentencings are -- have traditionally been solemn occasions. And from -- from my vantage point, opening up the sentencing to individuals who have -- are not directly related, are not a party or not a true victim in -- in the sense that that was always intended, may bring in a sentencing hearing to be somewhat of a circus atmosphere. I would hope that there would never be anyone in this Chamber who's ever been at a sentencing hearing, other than as a prosecutor, but I can assure you that the last thing that we need are to be bringing members of the community, who do not have a direct stake in the outcome of -- of the sentencing hearing, to create a carnival-like atmosphere. It's for that reason I take exception to No. 1 and I would be voting against it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator DeLeo, could you explain the problem that Senator Petka voiced? I'm -- I'm concerned about that, as I'm not clear.

SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Is it a -- a person from the community can then come in and speak with the judge on the sentencing of someone? You didn't -- I mean, Senator Petka didn't put it in the way of a question. So I want to be clear on it so I make sure I'm not voting for something I don't want to vote for.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeLeo.

SENATOR DeLEO:

Thank you -- thank you, Mr. President. Senator Hendon and Senator Petka, let me just explain to you what -- we had yesterday at -- at the committee hearing, Bill O'Brien, who is chief of prosecutions for the narcotics division of the Cook County State's Attorney. We have hot spots in -- in the City of Chicago around schools, where gangs and drug dealers have taken over a community. What this bill says, upon conviction, at the sentencing, you can bring a qualified individual in. You could bring the principal of the school in. You can bring the police officer that patrols that area in. You can bring the mother of the block club of that -- and talk about what this -- this problem is. We had thousands of arrests last year in Cook County with drug dealers, with their lookout person, with their -- with their person on the corner, where kids were - visibly saw on video - walking to school three feet away from these people. What a qualified individual would do where they'd come to court that day and the judge would qualify that person as a person -- a local community. Not somebody coming from another part of the city. They'd say, "State your name for

the record." The woman or gentleman would state their name for the record. "Tell me where you live." I live in the community. I live across the street. I'm president of the school board. I'm head of the school. I'm the principal of the school, and these are the problems. This is only after conviction at the sentencing hearing, where this person, after the person was qualified by the

29

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

judge, would be able to make an impact statement at that sentencing. We're not just talking about bringing -- arbitrarily bringing people in from across the State or across the county or across the city. This is against drug dealers and gangbangers -- keeping our schools and parks clean so these kids can enjoy these facilities and -- and go to school without having problems and without having drug dealers on the corner. This is what this is all about. We're not trying to change the law or change the hearsay law. We're just trying to make our neighborhoods safe. We passed the felony UUW to keep our schools. Why wouldn't we want to keep drug dealers away from schools and parks? I think is a very fine amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Thank you very much. In Executive, we heard both of them. I really am convinced that we need to do something to try to take back our neighborhoods from the drug dealers. And I think this -- both amendments I think serve that purpose. I think so many times we've -- losing the battle in some of these smaller communities and down -- in Chicago and other areas where the -- the people are afraid even to testify. They're afraid to even come forth to have any testimony because of the fear of what gangs and drugs can do for them. I think these -- both of these measures are carefully crafted, where the judge and all those involved, after conviction, will be able to at least testify and give their point of view of how it affects their area, how it affects their lives and how it affects their communities. I think it's a good bill. I think we should all vote in favor of both of these provisions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Is there any further discussion? If not, Senator DeLeo, you know that the separation

30

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

on the motion has taken place. So you close on Amendment No. 1.
Very good. Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. I'd ask for a concurrence on Amendment No. 1 to Senate Bill 1332.

PRESIDING OFFICER: (SENATOR WATSON)

This is final action. And it is separated and the motion is only on House Amendment No. 1. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1332. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 54 voting Yes, 5 voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1332. And the constitutional requirement having been provided, the bill {sic} is declared passed. Now we'll do House Amendment No. 2. Senator DeLeo, to explain House Amendment No. 2 and to close on House Amendment No. 2.

SENATOR DeLEO:

Thank you, Mr. President. Senate Bill 1332, this is Amendment No. 2. I'd ask for a concurrence and I believe there's no opposition on Amendment No. 2.

PRESIDING OFFICER: (SENATOR WATSON)

This is final action. And the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1332. Those in favor, vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 2 to -- Senate Bill 1332. And the constitutional

majority having been provided, the -- the bill is declared passed.
Senator Burzynski. Madam Secretary, please read the motion. It's

31

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Senate Bill 1339.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their
Amendments 1 and 2 to Senate Bill 1339.

Motion filed by Senator Burzynski.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
I move that we concur with House Amendments 1 and House Amendments
2 to Senate Bill 1339. House Amendment 1 deletes a reference
added -- that we added in the Senate regarding microdermabrasion.
We do have a commitment that we'll be working on that with Senator
Silverstein in the rules-making process to -- to include his
concerns, and -- as well as House Amendment No. 2 provides a
two-day window for someone in -- evidently a House Member's
district.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 and No. 2 to Senate Bill 1339. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 and 2 to Senate Bill 1339. And the bill, having received the required constitutional majority, is declared passed. Senator O'Malley. I'm sorry. Out of the record. Senate Bill 1404. Senator Wendell Jones. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in their adoption of their

32

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Amendment No. 1 to Senate Bill 1404.

Motion filed by Senator Wendell Jones.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Wendell Jones.

SENATOR W. JONES:

This is the hotly awaited audiology bill that you've all been

waiting for. And we now have concurrence from the House for single licensure on audiologists. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill -- excuse me. Senator Demuzio, you were a little late, but we're going to accept your request.

SENATOR DEMUZIO:

When I saw Wendell over there praying that it was -- no one was going to speak on it, I thought, you know, maybe something wrong with it. Just a question for clarification. Is the sixty-dollar fee -- is that an increase for an audiologist?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Wendell Jones.

SENATOR W. JONES:

It's just an increase for the graduate students, audiology.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, this is final action, once again, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1404. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur with House Amendment No. 1 to

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Senate Bill 1404. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1426. Senator Dillard. Please read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1426.

Motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I recommend that we concur with this amendment, which comes, really, from Senator Sieben's district and Representative Mitchell in the House of Representatives and stems from a real live situation where a student arsonist from Rochelle was trying to be forced into the Dixon School District, and the Dixon School District came up with this suggestion that says that if a student is suspended or expelled for any reason from a public or private school, in this or any state, that the student must complete the entire term of the suspension or expulsion before being admitted into the school district. And again, this is a problem in Senator Sieben's area, and I'd be happy to answer any questions, but I recommend, as does the committee, that we concur.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Molaro.

SENATOR MOLARO:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Okay. It's -- it's -- it's a great idea, but let me ask you,
does the student...

34

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me. Why don't we give the speaker his -- our
attention, please?

SENATOR MOLARO:

Does the student or parent -- let's say they're going to go to
public school and they just had a problem with this private
school, does the student have the rights to any type of a hearing
or conference? Or is it just that if the private school said, "We
suspended him for a year, or expelled him for a year," he can't
bring that to the attention of anybody at the local school board,
or does he have any redress whatsoever?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

To be honest, Senator Molaro, I don't know the answer to your question.

PRESIDING OFFICER: (SENATOR WATSON)

Is -- Senator Molaro.

SENATOR MOLARO:

Well, I guess, would you have any thoughts on it since we're here and we have this time together? Maybe you have some thoughts on that particular subject?

PRESIDING OFFICER: (SENATOR WATSON)

Thoughts from Senator Dillard. Is there any other -- any other discussion? Is there any other discussion? If not, do you wish to close, Senator Dillard?

SENATOR DILLARD:

I have no thoughts, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1426. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1426. And the bill, having received the required constitutional majority, is declared passed. Sometimes it's better that we don't have any thoughts, obviously. Senator Cronin, on Senate Bill 1447. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1447.

Motion filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was a bill that seeks to require, in the School Code, the assignment of surrogate parents for educational matters. There was an amendment in the House, very narrowly drafted, to apply to foster parents in these kinds of situations, a specific Section of the School Code only. And ask for your favorable consideration on this motion.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1447. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1447. And the bill, having received the required constitutional majority, is declared passed.

36

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Bottom of page 17. Senate Bill 1451. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1451.

Motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill, when it left the Senate, corrected an error from last Session whereby we neglected to put the reporting requirements that were agreed to for the TIF legislation onto the Industrial Jobs Recovery Act. The amendments simply add with -- add something with respect to one of those provisions. Specifically, it allows some alternative audit

procedures that municipalities can use.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment 1 and 2 to Senate Bill 1451. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment 1 and 2 to Senate Bill 1451, and having received the required constitutional majority, is declared passed. Senator Luechtefeld, for what purpose do you rise, sir?

SENATOR LUECHTEFELD:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR LUECHTEFELD:

37

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

In the gallery, behind the Republican Senate, we have the principal and two coaches and they are the State bowling champions in the State of Illinois from Gibault High School. If you'd give

them a welcome, I'd appreciate it.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Well, welcome to Springfield. Congratulations. We are now at the top of page 18. We have Senate Bill 1453. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1453.

Motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill, when it left the Senate, was a shell bill. The intention was to create a program that reduced the amount of paperwork that small businesses had to do when they file their sales tax returns. There were a number of concerns expressed by municipalities about this bill. So what we've done, in an effort to stay on the issue, is form a committee to review how this can be handled and paperwork can be reduced. They will report back to the General Assembly by January 1st, 2001. Additionally, it adds five technical corrections to the Revenue Code that were all requested by the Department of Revenue. I'd be happy to answer questions on any of them, if anyone has them. There's no fiscal impact from any of these. They're all technical in nature.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1453. Those in favor

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

shall vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1453. And the bill, having received the required constitutional majority, is declared passed. Madam Secretary, Senate Bill 1508.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1508.

Motion filed by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Members of the Senate. This merely makes the Senate bill the same as the House bill that we already passed out of here. It is agreed-to language requiring the court to hold a hearing within seven days of a filing of a petition for mental health issues, and also allowing the court to grant additional continuance that doesn't exceed twenty-one days.

These court procedures are all agreed to by the mental health community. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action. And the question shall be before the Senate that we concur with House Amendment No. 1 to Senate Bill 1408 {sic}. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1508. And the bill, having received the required constitutional majority, is

39

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

declared passed. Senate Bill 1540. Out of the record. Senate Bill 1541. Senator Maitland. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 1541.

Motion filed by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Let's -- let's give the sponsor our -- our attention. If you would, please return to your seats and let's proceed. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I do plan to concur in House Amendments No. 1 and 3 to Senate Bill 1541. This is the tree-trimming bill that passed out of this Chamber some weeks ago, and there were some concerns in the House. I believe that the negotiations that took place over there have solved the problems. The underlying bill states that an electric public utility shall not be required to comply with the tree-trimming standards if there is a franchise, contract, or written agreement between the public utility and the municipality mandating specific vegetation management practices in effect prior to January 1, '99. And in the amendment, House Amendment No. 1, it takes out the date that the agreement must be in effect and allows the municipality to adopt an agreement at any time. Another very important portion of the amendment that I want to make you aware of, House Amendment No. 3 states that if no franchise, contract, or written agreement between the utility and a municipality mandates a specific vegetation management practice and no applicable tariff governing non-emergency vegetation management practice has been approved by the Commission and the municipality enacts an ordinance establishing standards for

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

non-emergency vegetation management practices that are more restrictive than the standards of this Act, then the utility can recover the difference in that -- in that cost. This does apply to both incorporated and unincorporated areas of the State. I believe this, Mr. President, represents a -- a clear understanding now between the House and the Senate. I would, once again, move for the adoption of House Amendments No. 1 and 3.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 1541. Those in favor -- Senator Maitland.

SENATOR MAITLAND:

I believe Senator Dillard wants to be recognized, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

For thoughts?

SENATOR DILLARD:

Questions, here in this final few days of the Session. Thoughts and questions. I do have a -- if the sponsor would yield, I do have a question for him.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Dillard.

SENATOR DILLARD:

Thank you. How will this bill affect, Senator Maitland, any proposed rules of the Illinois Commerce Commission allowing for the establishment of uniform tree-trimming standards in tariffs?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator Dillard, I truly appreciate that question. It does not. The bill specifically provides that it does not invalidate

41

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

the Commission's rules or any tariff approved by the Commission under the Act or its vegetation management rule. The Illinois Commerce Commission has the authority to approve tariffs governing tree-trimming, and if it chooses to exercise that authority, this bill will not limit its ability to do so.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Keeping with themes this week, are there any stipend increases for anybody in this bill?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator Dillard, I am reliably informed that there are not.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpel.

SENATOR KARPIEL:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Karpel.

SENATOR KARPIEL:

Thank you. Senator Maitland, the way I read this, if -- if a municipality already has a -- an ordinance or has a tree-trimming ordinance on the books and this is -- and they are more restrictive than -- than the utility, then they have to pay back the utility the -- the difference in the cost?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator Karpel.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Karpel.

SENATOR KARPIEL:

But this does not just wipe out their ordinances or precede that? I mean, they still can have their own ordinance.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, Senator Maitland, do you wish to close? This is final action. And the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 1541. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 1541. And the bill, having received the required constitutional majority, is declared passed. Moving on down page 18, we have Senate Bill 1567. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1567.

Motion filed by Senator Silverstein.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. House Amendment 1 retains the bill with Senate Amendment No. 1 and 2. It deletes language that allows the agent to seek a court order to recover the cost of

providing accounting where there is no evidence of wrongdoing.
I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

43

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1567. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1567. And the bill, having received the required constitutional majority, is declared passed. Madam Secretary, please read the motion on Senate Bill 1655.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1655.

Motion filed by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment merely takes out the word "immunity" for any court officer or other person who enforces an order based upon the reasonable belief that the order is valid. They already have immunity -- civil immunity and we feel that that is already covered. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, and it is final action, that the Senate concur in House Amendment 1 and 2 to Senate Bill 1655. All those in favor should vote Yes. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 and 2 to Senate Bill 1655. And the bill, having

44

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

received the required constitutional majority, is declared passed. We move over to page 19. Top of page 19. We have Senate Bill 1660. Out of the record. And we have Senate Bill 1682. Senator Rauschenberger. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1682.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 1682 makes a deletion. It removes the exemption from the Procurement Code that we had drafted into the bill for a one-year period to allow the Department to enter into a -- a trial period or a trial demonstration project with a single vendor. The House was not comfortable with that. Its deletion does not affect the underlying bill, which left here with fifty-eight Yes votes. I'd appreciate adoption of the amendment and a positive roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1682. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who... Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1682. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 1690. Senator Cullerton. Out of the record. He's not prepared to move with his legislative agenda for the year. Senate Bill

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

1704. Senator Madigan. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1704.

Motion filed by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1704, as it left this Chamber, made some changes in the Real Estate License Appraiser {sic} (Appraiser Licensing) Act. House Amendment No. 1 makes an additional change to the current statute. Currently, an instructor of prelicensure or continuing education can use that time up to -- or, the time spent in instruction for all or part of their continuing education requirements. House Amendment No. 1 specifies that that instructor can only use fifty percent, or fourteen hours, of that time towards their continuing education requirement of twenty-eight hours. I'd be happy to answer any questions on House Amendment No. 1 to Senate Bill 1704, but otherwise would move for concurrence to that amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1704. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 1 to -- to Senate Bill 1704. And the bill, having received the required constitutional majority, is declared passed. Middle of page 19, we have Senate Bill 1871. Senator Viverito. Madam Secretary, please read the motion.

46

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1871.

Motion filed by Senator Viverito.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Viverito.

SENATOR VIVERITO:

Thank you, Mr. Chairman. This amendment is intended to maintain the same procedure as they were prior to the Illinois

Procurement Code as previously provided under the former Illinois Purchasing Act. I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1871. And those in favor should vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1871. And the bill, having received the required constitutional majority, is declared passed. Senator Maitland, for what purpose do you rise, sir?

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. For the -- on a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Go ahead and state your point, Senator.

SENATOR MAITLAND:

Mr. President, on the Floor, seated behind me, is an intern for my office in Bloomington, Mr. -- Mr. Todd Germeraad, who is a student at Illinois Wesleyan University, and joining him is my Executive Assistant, Bev Miller. Would like to ask them to stand

SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

and -- and be recognized by the Senate. And before you recognize them officially, I'd like to introduce a group, behind you, Mr. President. Stan Otto's class from Bloomington High School are joining us today. Along with Mr. Otto is Alison Harmes, Patrick Dunn, Yale Fillingham and Blake Otto. I would like them all to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR WATSON)

Would our friends in the gallery please rise? And we certainly welcome you to the Illinois Senate. Hope you enjoy your day. Senator Maitland.

SENATOR MAITLAND:

On a further point of personal privilege, Mr. President, let me ask the Body to remember that this week is the deadline for your registration and your hotel reservations for NCSL 2000, which is going to be held in Chicago this summer starting June -- July 15th. Walter Dudycz -- Senator Dudycz has been working with us on this and, on your side of the aisle, Senator Berman, of course, who's now gone from this Chamber, but Senator Obama. This is going to be great -- will be a great event for Chicago, for the State, and so we'd like to have all of you there. And also, we'd like to have any of you volunteer for anything that you might like to do as well. So I will make that announcement one more time this week, Senator. But just wanted to make that point.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Thank you, Senator Maitland. On your desk, you should find Senate Calendar Supplemental No. 1, Wednesday, April

12th. Secretary's Desk, Resolutions. Madam Secretary, please read the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution No. 66, offered by Senator Cronin.

The Committee on Education adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

48

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 66 deals with the issue of mandate waivers. As all of you know, this was a policy that we adopted several years ago, a law that we passed that promotes local control. It gives local school districts an opportunity to ask the State Board to waive certain administrative rules that they may find cumbersome, if they find another way to do it. With respect to waivers of -- the request waivers of the School Code, those issues come to our attention and we have a hearing on it. In this resolution are a number of requests that we are denying. We must take an affirmative act to deny their request. If we don't take an affirmative act, their request to waive a certain

aspect of the Code will take effect. So this is our affirmative act. A Yes vote means no, that we're not permitting them to -- to waive the provision of the Code that they're seeking to waive. And the -- and the specific waiver requests are as follows: Number one - in the area of debt limitation, Round Lake Area School District 116 asked to have their debt limitation provision in the School Code waived, even though they did not successfully pass a referendum in March. Therefore, we thought that was inappropriate and we are denying their request. Item two, general State aid and average daily attendance calculations - two for Granite City's Community Unit School District 9 and one for the Regional Office of Education in Carroll, Jo Daviess and Stephenson Counties are -- are being denied. There was a request there to count days for purposes of State aid when students were not in attendance. The Regional Office of Education wanted to be funded for a full day of attendance for a three-and-a-half-hour day. Thought that was inappropriate. We have two pieces of legislation to address that and so, therefore, we've included that

49

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

provision in here. We also have a length of school term for Granite City. They asked permission to submit a school calendar

with only a hundred and eighty days scheduled, instead of the hundred and eighty-five as required by law. They justified it by talking about the hot -- the heat and the weather of August. Item four, statement of affairs - Huntley School District 158 wanted to waive the requirement that they publish their statement of affairs in the newspaper. We've denied that. And finally, the Norridge School District 80 asks to waive certain provisions dealing with tax levies. Ask for your favorable consideration. It passed out of the Education Committee unanimously.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lisa Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this resolution. As Senator Cronin has explained, there are a number of waivers that we are seeking to deny. The only thing I would add to the conversation is there are a number of people who've been sitting down at the table trying to work out some issues regarding substitute teachers, and if we actually had the ability, I think, to find a vehicle - and I think someone's looking for one over in the House - we might look at some of the other waivers that we will be approving with the hope that those could be alleviated if we actually passed some substitute teacher language that would solve some of these problems without having to go through a waiver process. And I know that Senator Cronin is in agreement on that. The only other issue I would speak to is there is one waiver request that we are not seeking to deny and that I would disagree on. It is the Medinah School District and it's a situation where the school

district would like to be able to use the money in certain funds in any way that they deem to be most appropriate. It is my

50

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

belief that that probably should have been denied or that that should actually be a piece of legislation that we had looked at the way we did for some of the other school districts around the State. But other than those two objections, I would support Senate Joint Resolution 66. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Noland. Senator Noland in the Chamber? Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. I see that Senator Noland's speak light is on and he apparently has chosen to retire to the gallery to listen to the debate on this important issue. Senator Noland, would you care to address the Assembly from the President's Gallery?

PRESIDING OFFICER: (SENATOR WATSON)

Will our guest in the gallery please rise? Welcome to the Senate. Senator Cronin, do you wish to close?

SENATOR CRONIN:

Thank you. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin moves the adoption of Senate Joint Resolution 66. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 59 voting Yes, no voting No, no voting Present. And on that question, we adopt the resolution. Senator Tom Walsh, for what purpose do you rise, sir?

SENATOR T. WALSH:

Thank you, Mr. President. For a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

Please state your point.

SENATOR T. WALSH:

51

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

I would like to introduce to the Senate a young man I have down from LaGrange Park, who's acting as a Page for the Day. Brent Breen is here with his mother, Susan Breen, who is sitting in the President's Gallery. And I'd like you all to welcome them, if you would.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Well, welcome to the Illinois Senate. We're obviously glad to have you here. Senator Robert Madigan, for what purpose do you rise?

SENATOR R. MADIGAN:

Thank you, Mr. President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

Please proceed.

SENATOR R. MADIGAN:

At 2:30 in Room 212, the Insurance and Pensions Committee will meet. 2:30, Room 212.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

Go ahead and proceed.

SENATOR PETERSON:

The Revenue Committee will meet in Room 400, at 3 p.m.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. For purposes of an announcement. The Local Government Committee will meet at 2:30 in Room A-1. Local Government, 2:30, in Room A-1 of the Stratton Building.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. Just to announce a Republican Caucus in Senator Philip's Office immediately.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Just to announce that the Democrats will have a Caucus in the Office of Senator Emil Jones at the close of this Session.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. Senator Noland moves that the Senate stand in recess until the call of the Chair, which will probably be after the committees adjourn. We'll recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Dillard, Chair of the Committee on Local Government, reports Senate Bill 1425 - the Motion to Concur with House

Amendments 1, 2 and 3 Be Approved for Consideration; Senate Bill 1513 - the Motion to Concur with House Amendment 1 Be Approved for Consideration; Senate Bill 1881 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration; and Senate Bill 1377 - the Motion to Concur with House Amendment 1 Be Approved for Consideration.

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bill 1304 - the Motion to Concur with House Amendment 1 Be Approved for Consideration.

53

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

And Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Amendments 1 and 2 to House Bill 1583 Be Adopted; and Senate Bill 1658 - the Motion to Concur with House Amendments 1 and 2 Be Adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following

title, to wit:

House Bill 730, with Amendments 1 and 2.

Nonconcurrent in by the House, April the 12th, 2000.

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 23, with House Amendments 1, 2 and 4.

We have a like Message on Senate Bill 1444, with House Amendments 4 and 5.

The action on all of these bills, April 12th, 2000.

PRESIDING OFFICER: (SENATOR DONAHUE)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1960, offered by Senator Tom Walsh.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

For the information of the Body, we are going to go to page 6, House Bills 3rd Reading, for a recall for House Bill 1583. The sponsorship is under Robert Madigan and that has been changed to

100th Legislative Day

April 12, 2000

Senator John Maitland. Senator Maitland, do you wish to recall House Bill 1583 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 1583. Mr. Secretary, have there been any amendments filed for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on Amendment No. 1.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Senate Amendment No. 1 to House Bill 1583 is the Pension Laws Commission bill for the year. It is a bill that is mostly administrative and technical in nature. There really is, I think, no opposition, but I suspect we should just adopt the amendment and debate the issue - there's not many people on the Floor right now - debate the issue on 3rd Reading. I would move for the adoption of Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported. I beg your pardon, Madam President. Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President, Members of the Senate. Again, I would plan to move for the adoption of Senate Amendment No. 2. This addresses an issue with a former SURS employee. It

55

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

100th Legislative Day

April 12, 2000

is -- it is a calculation issue. We'll debate this issue on 3rd Reading as well. So I would therefore move for the adoption of Floor Amendment No. 2 to House Bill 1583.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. If there is no further business to come before the Senate, Senator Maitland moves that the Senate stand adjourned until the hour of 10 a.m. The hour of 10, on Thursday, April 13th.

